

UNITED STATES DISTRICT COURT

for

**EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION**

U.S.A. vs. Lydia Powell Riddick

Docket No. 7:07-CR-120-1BO

Petition for Action on Probation

COMES NOW Chip Williams, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Lydia Powell Riddick, who, upon an earlier plea of guilty to Supplemental Security Income Fraud in violation of 42 U.S.C. § 1383a(a)(2), was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on June 18, 2008, to a 60 month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall perform 100 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.
2. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
3. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

During the course of supervision, the defendant has largely complied and has not incurred additional law violations. She has struggled financially, due to divorce, periods of unemployment, and a work related back injury. Ms. Riddick continues to suffer from chronic severe asthma, diabetes, and allergic rhinitis. The defendant's chronic and acute medical conditions, coupled with the lack of local agencies that accept community service workers, have negatively impacted her ability to complete the 100 hours of community service. She was able to complete over 55 hours, prior to her back injury in April 2011. The current community service balance is 44.65 hours. Ms. Riddick satisfied the drug aftercare condition, by completing a treatment program and random testing, she paid restitution to the best of her ability, strived to maintained employment, and has been fully cooperative with the probation officer. In consideration of the issues noted, it appears to be in the interest of justice, that the court remit the remaining community service hours.

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PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The community service balance of 44.65 hours is hereby remitted.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Chip Williams
Chip Williams
U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-815-4857
Executed On: April 24, 2013

ORDER OF COURT

Considered and ordered this 25 day of April, 2013, and ordered filed and made a part of the records in the above case.

Terrence Boyle
Terrence W. Boyle
U.S. District Judge